

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

KHAYRI WILLIAMS,
Plaintiff,

v.

DARWIN WAGNER, et al.,
Defendants.

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Case No. 5:23-cv-01512-JDW

ORDER

AND NOW, this 23rd day of April, 2024, upon consideration of Defendants, Officer Timothy Wagner, Officer Justin Winters, And Officer Thomas Spray's Motion For Summary Judgment (ECF No. 19), and for the reasons set forth in the accompanying Memorandum, it is **ORDERED** that the Motion is **GRANTED**.

It is **FURTHER ORDERED** as follows:

1. Mr. Williams's claim(s) against an unidentified and unserved "John Doe" supervisor is **DISMISSED WITHOUT PREJUDICE**; and
2. On or before May 10, 2024, Officers Winters and Wagner shall submit a letter via email to my Chambers at chambers_of_judge_wolson@paed.uscourts.gov, with a copy to Mr. Williams, setting forth whether they intend to proceed with their counterclaims for assault and battery.

BY THE COURT:

/s/ Joshua D. Wolson

JOSHUA D. WOLSON, J.